

ORDINANCE NO. 1, SERIES OF 1950

An Ordinance to prevent domestic animals from running at large within the limits of the City of Elgin, and to provide for the taking up, impounding, and selling of the same, and declaring an emergency.

No 1 - 1950

The people of the City of Elgin, Oregon do ordain, as follows:

Section 1. No horse, mule, cow, cattle, sheep, swine, goats or fowl shall be allowed to run at large in any of the streets, alleys, parks or public places in the City of Elgin, Oregon.

Section 2. It shall be unlawful for the owner of any domestic animal to keep, put or graze any such domestic animal upon any lawn or premise not his own without the consent of the owner of such lawn or premise.

Section 3. It shall be the duty of the Marshal, policeman and other persons as shall be appointed as Poundmasters by the City Council, to take up and impound any domestic animal or animals or fowl, or fowls found running at large on the streets, alleys, parks, or other public places within the city limits, and that such animals so impounded are properly fed and watered.

Section 4. The Marshal, or Poundmaster shall give immediate notice of the taking up and impounding any animal or fowl, with the description thereof, by posting such notice at three conspicuous and public places within the city.

Section 5. If any animal or fowl so taken up and impounded shall not be reclaimed by the owner or person entitled to the possession thereof and the fees, and costs paid within five days after the posting of such notice in the cases of horses, mules, or cattle, or two days in the case of any other animals or fowl mentioned in Section 1, of the Ordinance, the Marshal or Poundmaster impounding such animals or fowl shall sell such animal or fowl at public auction to the highest bidder for cash at a city pound, after giving at least five days' notice of the time and place of such sale in a weekly newspaper published in the city and by posting such notice at least five days in a public and conspicuous place in said city, and after applying the proceeds of such sale to the payment of fees in taking up and the costs of keeping and selling of such, he shall pay the surplus, if any, to the City Treasurer.

Section 6. If at any time before such sale, the owner of person entitled to possession of any such animal or fowl so taken up, shall claim the same, he shall be entitled to the possession thereof upon furnishing satisfactory proof of his right thereto and paying to the Marshal or Poundmaster having possession of such animal or fowl, all legal charges, fees, and expenses incident to such taking up and keeping such animal or fowl. At any time within one year within such sale the owner of any animal or fowl so sold shall be entitled to the net proceeds on deposit in the city treasury upon application to the City Council and furnishing satisfactory proof of his rights thereto.

Section 7. The owner or person having charge of any animal or fowl described in Section 1 of this Ordinance who shall suffer or allow the same to go at large within the city, contrary to the provisions of this Ordinance, or keep, put, graze, or herd the same upon any lawn, or premises not his own without the consent of the owner of said premises shall, on conviction be punished by a fine of not to exceed \$25.00.

Section 8. In addition to the cost of feeding and keeping any animal or fowl taken up and impounded, the Marshal or Poundmaster impounding any animal or fowl shall charge and collect for the city, \$1.00 per head for horses, mules, and cattle; 50 cents per head for sheep, goats, and swine; and 25 cents per head for each domestic fowl so impounded.

Section 9. In as much as livestock running at large within the city limits of Elgin is a nuisance and must be regulated for the peace and safety of the public, an emergency is hereby declared and this Ordinance shall be and become in full force and effect upon its passage and approval by the Mayor.

Passes by the City Council on the 4th day of January, 1950, with 4 votes therefore, and 0 votes against.

Approved:

Rex C. Roulet
Mayor

Attest:

NE Kuhn
Recorder